

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark S. Zeiner Confirmation No: 8274
Serial No. : 10/815,356 Art Unit: 3734
Filed : March 31, 2004 Examiner: Diane D. Yabut
For : IMPROVED TROCAR SEAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ END5008CIP2/ VCM the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No.

END5008CIP2/VCM

Respectfully submitted,


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One Johnson & Johnson Plaza
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September _____, 2006

Oct. 4

10/815,356

END5008CIP2

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

<i>Application Number</i>	10/815,356
<i>Filing Date</i>	March 31, 2004
<i>First Named Inventor</i>	Mark S.Zeiner
<i>Group Art Unit</i>	3734
<i>Examiner Name</i>	Diane D. Yabut
<i>Attorney Docket Number</i>	END5008CIP2

U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
	Cite No. ¹	Kind Code ² Number			
		3,504,699	Grise	04-07-1970	
		3,773,233	Souza	11-20-1973	
		4,436,519	O'Neill	03-13-1994	
		4,601,710	Moll	07-22-1986	
		4,610,665	Matsumoto et al.	09-09-1986	
		4,654,030	Moll et al.	03-31-1987	
		4,902,280	Lander	02-20-1990	
		4,931,042	Holmes et al.	06-05-1990	
		4,932,633	Johnson et al.	06-12-1990	
		5,030,206	Lander	07-09-1991	
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	Office ³	Number ⁴	KindCode ⁵				
		EP0568383		Ethicon Inc.	11-03-1993		
		WO 94/03232		C.R. Bard, Inc.	02-17-1994		
		EP0339945		Adair	11-02-1998		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 5

Application Number

10/815,356

Filing Date

March 31, 2004

First Named Inventor

Mark S.Zeiner

Group Art Unit

3734

Examiner Name

Diane D. Yabut

Attorney Docket Number

END5008CIP2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Kind Code ²	Number (if known)			
		5,209,737		Ritchart et al.	05-11-1993	
		5,211,634		Vaillancourt	05-18-1993	
		5,246,425		Hunsberger et al.	09-21-1993	
		5,300,033		Miller	04-05-1994	
		5,308,336		Hart et al.	05-03-1994	
		5,324,270		Kayan et al.	06-28-1994	
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Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
			WO/0035529		Syntheon, LLC	06-22-2000		
			DE10100756		Universitaetsklinikum Freiburg	08-14-2002		
			WO2004/033004		Applied Medical	04-22-2004		

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 5

<i>Application Number</i>	10/815,356
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<i>First Named Inventor</i>	Mark S.Zeiner
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<i>Examiner Name</i>	Diane D. Yabut
<i>Attorney Docket Number</i>	END5008CIP2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Kind Code ²	Number (if known)			
		5,456,284		Ryan et al.	10-10-1995	
		5,467,762		Sauer et al.	11-21-1995	
		5,534,009		Lander	07-09-1996	
		5,542,931		Gravener et al.	08-06-1996	
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		5,603,702		Smith et al.	02-18-1997	
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Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁸
		Office ³	Number ⁴	KindCode ⁵				

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

<i>Application Number</i>	10/815,356
<i>Filing Date</i>	March 31, 2004
<i>First Named Inventor</i>	Mark S.Zeiner
<i>Group Art Unit</i>	3734
<i>Examiner Name</i>	Diane D. Yabut
<i>Attorney Docket Number</i>	END5008CIP2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,895,377		Smith et al.	04-20-1999	
		6,017,356		Frederick et al.	01-25-2000	
		6,024,729		Dehdashtian et al.	02-15-2000	
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		6,093,176		Dennis	07-25-2000	
		6,254,529	B1	Ouchi	07-03-2001	
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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 5

<i>Application Number</i>	10/815,356
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<i>Attorney Docket Number</i>	END5008CIP2

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	Cite No. ¹	Kind Code ² (if known)			
	2002/0007153	A1	Wells et al.	01-17-2002	
	2002/0010425	A1	Guo et al.	01-24-2002	
	6,352,520	B1	Mizyazaki	04-05-2002	
	2003/0060770	A1	Wing et al.	03-27-2003	
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Examiner Initials	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
	Cite No. ¹	Office ³	Number ⁴	KindCode ⁵			

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²Unique citation designation number. ³Applicant is to place a check mark here if English language Translation is attached.

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SUBMISSION UNDER MPEP 609 D

Page 1 of 1

<i>Confirmation Number</i>	8274
<i>Application Number</i>	10/815,356
<i>Filing Date</i>	March 31, 2004
<i>First Named Inventor</i>	Mark S. Zeiner
<i>Group Art Unit</i>	3734
<i>Examiner Name</i>	Diane D. Yabut
<i>Attorney Docket Number</i>	END-5008CIP2

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature	Date Considered
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END5008CIP1

EP 1 459 688 A1

European Patent
Office

EUROPEAN SEARCH REPORT

Application Number
EP 04 25 1605

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.)		
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim			
✓ P,X	EP 1 348 386 A (ETHICON ENDO SURGERY INC) 1 October 2003 (2003-10-01) <i>200318739</i> * column 4, paragraph 15 - paragraph 17 *	1	A61B17/34		
✓ A	EP 0 567 142 A (UNITED STATES SURGICAL CORP) 27 October 1993 (1993-10-27) * column 5, line 22 - column 6, line 54 * * figure 1 * <i>6,569,120</i>	1-24			
✓ A	US 5 743 884 A (LAKATOS NICK ET AL) 28 April 1998 (1998-04-28) * column 9, line 55 - column 10, line 67 * * figures 12-24 *	1			
✓ A	US 5 342 315 A (ROWE C DANIEL ET AL) 30 August 1994 (1994-08-30) * column 7, line 4 - column 9, line 38 * * figures 7-10 *	7,11,19			
✓ A	EP 0 696 459 A (UNITED STATES SURGICAL CORP) 14 February 1996 (1996-02-14) * column 7, line 28 - column 8, line 47 * * figures 2A,5-7 * <i>See CIP2</i>	7,11,19	<table border="1"> <tr> <td>TECHNICAL FIELDS SEARCHED (Int.Cl.)</td> </tr> <tr> <td>A61B</td> </tr> </table>	TECHNICAL FIELDS SEARCHED (Int.Cl.)	A61B
TECHNICAL FIELDS SEARCHED (Int.Cl.)					
A61B					
The present search report has been drawn up for all claims					
Place of search THE HAGUE	Date of completion of the search 1 June 2004	Examiner Compos, F			
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons R : member of the same patent family, corresponding document			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document					

ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.

EP 04 25 1685

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01-06-2004

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✓ EP 1348386	A	01-10-2003	US	✓ 603187397 A1 CA 2423908 A1 EP 1348386 A1 JP 2003319946 A	02-10-2003 29-09-2003 01-10-2003 11-11-2003
✓ EP 0567142	A	27-10-1993	AT	154885 T	15-07-1997
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For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

ENDS/19EP



European Patent
Office

EUROPEAN SEARCH REPORT

Application Number
EP 04 25 6023

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.)
<input checked="" type="checkbox"/> X	US 5 342 315 A (ROWE C DANIEL ET AL) 30 August 1994 (1994-08-30) * column 7, line 10 - line 37; figures 1,2 * * column 7, line 64 - column 8, line 1 * * column 8, line 67 - column 9, line 38; figures 7-10 *	1-3,5	A61B17/34
<input checked="" type="checkbox"/> X	US 5 603 702 A (SMITH ROBERT C ET AL) 18 February 1997 (1997-02-18) * column 5, line 62 - column 6, line 4; figures 1,10,11 * * column 6, line 51 - line 62; figure 2a * * column 7, line 3 - line 14; figure 5 * * column 8, line 40 - line 47 *	1-3,5	
<input checked="" type="checkbox"/> A	EP 0 568 383 A (ETHICON INC) 3 November 1993 (1993-11-03) * abstract; figures 1,2,5 *	1-3,5	
<input checked="" type="checkbox"/> A	US 6 569 120 B1 (DEFONZO STEPHAN A ET AL) 27 May 2003 (2003-05-27) * abstract; figures 1,6,7,9 *	1-3,5	TECHNICAL FIELDS SEARCHED (Int.Cl.) A61B
The present search report has been drawn up for all claims			
2	Place of search	Date of completion of the search	Examiner
	Berlin	13 December 2004	Ducreau, F
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 25 6023

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13-12-2004

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5342315	A	30-08-1994	NONE		
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ENDS/obEP

European Patent
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EUROPEAN SEARCH REPORT

Application Number
EP 04 25 6016

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Official document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Incl.7)
Y	US 6 093 176 A (JENNIS ET AL) 25 July 2000 (2000-07-26) * column 6, line 56 - column 7, line 5 *	1,2,6-9	A61B17/34
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A	DE 101 90 756 A1 (UNIVERSITAETSKLINIKUM FREIBURG) 14 August 2002 (2002-08-14) * paragraph [0021] *	3	
A	US 2003/0060770 A1 (WING DANIEL M ET AL) 27 March 2003 (2003-03-27) * paragraph [0067] *	1	
			TECHNICAL FIELDS SEARCHED (Incl.7)
			A61B
The present search report has been drawn up for all claims.			
2 (P01/001)	Date of search Munich	Date completion of the search 2 February 2005	Examiner Angelit, M
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention	

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 25 6016

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